

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

ANTHONY PASSANANTE, Jr.,

No. CV06-5451 FDB

Plaintiff,

vs.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

ORDER FOR REMAND

Defendant

Based on the stipulation of the parties it is hereby ORDERED that the above-captioned case be remanded for further administrative proceedings. On remand, the Administrative Law Judge (ALJ) will give further consideration to the opinions of Lawrence V. Majovski, Ph.D., and Allen W. Ratcliffe, Ph.D. The ALJ will hold another hearing with a medical expert and a vocational expert. The ALJ will obtain vocational testimony based on hypothetical questions that reflect the specific capacity/limitations established by the record as a whole. The ALJ will ask the vocational expert to identify examples of appropriate jobs and state the incidence of such jobs in the national economy. Before relying on the vocational expert evidence, the ALJ will identify and

1 resolve any conflicts between the occupational evidence provided by the vocational expert and the  
2 information in the Dictionary of Occupational Titles and its companion publication, the Selected  
3 Characteristics of Occupations (Social Security Ruling 00-4p).  
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5 This case is reversed and remanded on the above grounds pursuant to sentence four of  
6 42 U.S.C. § 405(g), and Plaintiff is entitled to reasonable attorney's fees and costs pursuant to  
7 28 U.S.C. § 2412(d), upon proper request to this Court.

8 DATED this 9<sup>th</sup> day of January, 2006  
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12 FRANKLIN D. BURGESS  
13 UNITED STATES DISTRICT JUDGE  
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16 Recommended for Entry:  
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19 s/ Karen L. Strombom  
20 UNITED STATES MAGISTRATE JUDGE  
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23 Presented by:  
24  
25 s/ CAROL A. HOCH WSB # 9289  
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